

MELLINGER KARTZMAN LLC

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Attorneys for Steven P. Kartzman, Chapter 7 Trustee



Order Filed on January 21, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

NICHOLAS PEZZA,

Debtor.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Chapter 7

Case No.: 16-33371 (RG)

Honorable Rosemary Gambardella

**CONSENT ORDER AUTHORIZING THE SALE OF THE CO-OWNER'S INTERESTS
IN THE REAL PROPERTY LOCATED AT 488 DEWEY AVE, SADDLE BROOK, NJ**

The relief set forth on the following pages numbered two (2) through four (4) is hereby
ORDERED.

DATED: January 21, 2020

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Nicholas Pezza

Case No.: 16-33371 (RG)

Caption: Consent Order Authorizing the Sale of the Co-Owner's Interests in the Real Property Located at 488 Dewey Ave., Saddle Brook, NJ

THIS MATTER having been brought before the Court by Steven P. Kartzman, Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger Kartzman LLC, on application for the entry of a Consent Order in lieu of a complaint for authority to sell co-owner interests in real property under 11 U.S.C. § 363(h); and the Trustee and Jeanette Pezza, the co-owner of the real property located at 488 Dewey Ave., Saddle Brook, NJ, having agreed to a resolution of the issues on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The Trustee be, and is hereby, authorized to sell the real property located at 488 Dewey Ave., Saddle Brook, NJ (the "Property"), such property co-owned by the debtor, Nicholas Pezza (the "Debtor") and Jeanette Pezza (the "Co-Owner") pursuant to 11 U.S.C. § 363(h).
2. To the extent that the Co-Owners interest in the Property is sold pursuant to 11 U.S.C. § 363(h), the Co-Owner shall be entitled to a distribution based upon and to the extent of her interest in the Property, subject to the provisions of 11 U.S.C. § 363(j).
3. Pursuant to 11 U.S.C. § 363(j), once a closing occurs, the net proceeds after (a) the costs of the sale of the Property including, but not limited to, legal fees and any other expenses commonly associated with the sale of residential property in New Jersey; and (b) satisfaction of any mortgages, municipal liens, and any other liens against the Property which were incurred by both the Debtor and the Co-Owner, will be distributed by the Trustee 50% to the estate and 50% to the Co-Owner.

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Debtor: Nicholas Pezza

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Caption: Consent Order Authorizing the Sale of the Co-Owner's Interests in the Real Property Located at 488 Dewey Ave., Saddle Brook, NJ

4. The Estate and the Co-Owner will be solely obligated to satisfy any lien solely against its or her interest, from its or her share of the net proceeds.

5. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

6. The Co-Owner hereby submits to the jurisdiction of this Court for the resolution of all issues arising hereunder and the Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

7. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

8. A copy of this Order shall be served on all interested parties within five (5) days from the date of entry.

The undersigned hereby consent to the form and entry of the within Order:

MELLINGER KARTZMAN LLC
Attorneys for Steven P. Kartzman
Chapter 7 Trustee

DONALD TROY BONOMO, ESQ.
Attorney for Jeanette Pezza

By: /s/ Joseph R. Zapata, Jr.
JOSEPH R. ZAPATA, JR., ESQ.

By: /s/ Donald Troy Bonomo
DONALD TROY BONOMO, ESQ.

Dated: January 9, 2020

Dated: January 9, 2020

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Nicholas Pezza
DebtorCase No. 16-33371-RG
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 2

Date Rcvd: Jan 21, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 23, 2020.

db #+Nicholas Pezza, 488 Dewey Avenue, Saddle Brook, NJ 07663-5904
aty +Michael J. Cavallaro, 25 Lafayette Place, Kearny, NJ 07032-2228Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 23, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 21, 2020 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor U.S. Bank National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2 cwohrlab@LOGS.com, njbankruptcynotifications@logs.com

Deborah T. Feldstein on behalf of Creditor Christiana Trust as Custodian dfeldstein@caplaw.net

Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company as Trustee for the Holders of New Century Home Equity Loan Trust, Series 2005-A, Asset Backed Pass-Through Certificates dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Donald Troy Bonomo on behalf of Debtor Nicholas Pezza dbonomo123@gmail.com, tdr68458@notify.bestcase.com

Francesca Ann Arcure on behalf of Creditor Nationstar Mortgage LLC, as servicer for U.S. Bank National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2 NJ_ECF_Notices@McCalla.com, NJ_ECF_Notices@McCalla.com

Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net

Judah B Loewenstein on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net

Laura M. Egerman on behalf of Creditor U.S. Bank National Association bkyecf@rasflaw.com, bkyecf@rasflaw.com; legerman@rasnj.com

Michael A. Artis on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov

Robert P. Saltzman on behalf of Creditor MTGLQ Investors, LP c/o Rushmore Loan Management Services, LLC dnj@pbslaw.org

Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfcbis.com; jloewenstein@msklaw.net

Steven P. Kartzman on behalf of Appraiser A. Atkins Appraisal Corp, kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfcbis.com; jloewenstein@msklaw.net

Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfcbis.com; jloewenstein@msklaw.net

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

United States Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 15